

COMMITTEE REPORT

Date: 18 October 2012 **Ward:** Guildhall
Team: Major and **Parish:** Guildhall Planning Panel
Commercial Team

Reference: 12/02359/LBC
Application at: 78 Low Petergate York YO1 7HZ
For: Internal and external alterations associated with change of use to restaurant
By: York Hogroast Ltd
Application Type: Listed Building Consent
Target Date: 31 August 2012
Recommendation: Approve

1.0 PROPOSAL

1.1 Listed Building Consent is sought for internal and external alterations to include partitions, the widening of openings, a new door opening, new hand painted signage on the fascia's and a new hanging sign at 78 Low Petergate.

1.2 The property at 78 Low Petergate is timber framed and was constructed as a house in the early seventeenth century. Located on the corner of Low Petergate and Goodramgate, the property is Grade II listed and is situated on a Primary Shopping Street within the Central Historic Core Conservation Area. Formerly a book shop, the property is currently vacant.

1.3 The proposed alterations are associated with a proposal for the change of use of the premises from A1 to a cafe / restaurant with ancillary takeaway (Class A3). This application is referenced 12/02355/FUL.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

Listed Buildings GMS Constraints: Grade 2; 78 Low Petergate York YO1 2HZ 0766

Listed Buildings GMS Constraints: Grade 2; 76 Low Petergate York YO1 2HZ 0767

2.2 Policies:

CYHE4 Listed Buildings

3.0 CONSULTATIONS

Design, Conservation and Sustainable Development

3.1 The revised proposals have been informed by, and have responded to the evaluation of the special interest of the building. The negligible harm to the special interest of the building is outweighed by the public benefit of the proposal, including securing its optimum viable use.

4.0 APPRAISAL

Key Issues

- Impact on special architectural and historic importance of the listed building

4.1 The National Planning Policy Framework states that considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed by or lost through alteration or destruction of the heritage asset or development within its setting.

4.2 The Development Control Local Plan was approved for Development Control purposes in April 2005: its policies are material considerations where they reflect the National Planning Policy Framework. Local Plan Policy HE4 advises that consent will only be granted for internal or external alterations to listed buildings where there is no adverse effect on the character, appearance or setting of the building.

4.3 78 Low Petergate has high aesthetic value for the external appearance of the upper floors and internally for the timber framing, and high design value for the internal decorative features; for example the timber panelling and moulded beams to the first floor, decorative stair balustrade, door frames and doors and externally, although to a lesser degree, the shop fronts. It has historical value for the way in which the building can connect us to past aspects of life and has evidential value, with some potential to yield evidence of its development over time. Its significance is as a relatively complete timber framed building with later phases of development incorporated.

4.4 The initial proposals for the change of use of the building contained insufficient information to be able to determine the effect on its special architectural or historic interest. The resubmitted scheme includes an evaluation of the building by a building archaeologist by desk top assessment and on site investigation, including by the removal of modern surface finishes. The evaluation confirms that there is extensive survival of seventeenth century timber framing, and later fabric which contributes to the special interest of the building.

4.5 The revised proposals have been informed by, and have responded to the evaluation of the special interest of the building. The proposed alterations are in the main both additive and reversible, consisting of partitions and shop fittings. The enclosure of the kitchen on the ground floor reflects an earlier plan form and mirrors the plan form of the floors above. The effect of the additional partitions on the significance of the listed building is considered to be negligible.

4.6 Two door openings on the ground floor would be widened to accommodate wheel chair access to a ground floor toilet; one is within modern fabric, the other opening is within a wall of later eighteenth century date. Whilst the first opening would have no impact on the special interest of the building, the latter would have a negligible impact. A new door opening would be formed between the server and the kitchen; this is through modern fabric, and would have no impact on the special interest of the building. A proposal to alter the first two steps on the ground floor has been omitted from the scheme. Subject to a condition requiring full details, the proposal to obscure the lower part of the shop windows would be considered to have a low impact on the aesthetic value of the building.

5.0 CONCLUSION

5.1 Officers consider that the negligible harm to the special interest of the building is outweighed by the public benefit of the proposal, including securing its optimum viable use. Approval is recommended.

6.0 RECOMMENDATION: Approve

1 TIMEL2 Development start within 3 yrs (LBC/CAC) -

2 The development hereby permitted shall be carried out in accordance with the following plans:-

Received 28.9.2012

Dwg No: 001 Rev A (Location Plan)

Dwg No: 002 Rev A (Block Plan)

Dwg No: 005 Rev D (Existing & Proposed Elevations)

Dwg No: 004 Rev E (Proposed Floor Plans)

Dwg No: 006 Rev A (Existing & Proposed Elevations - Goodramgate)

Design & Access Statement Revision B

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

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3 Full details of the proposed method and materials for obscuring the lower part of the display windows shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

4 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

(i) details relating to the upgrading of the door frame on the second floor to meet fire regulations

(ii) details of proposed new internal doors

Reason: So that the Local Planning Authority may be satisfied with these details in the interests of safeguarding the character and appearance of the listed building.

7.0 INFORMATIVES:

Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to the special historic and architectural interest of the listed building. As such the proposal complies with the National Planning Policy Framework and Policy HE4 of the City of York Development Control Local Plan.

Contact details:

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